

REMARKS

Claims 1-11 remain in the application and claims 1 and 6 have been amended hereby. Claims 24-33 and 44-57 have been canceled, without prejudice or disclaimer.

Reconsideration is respectfully requested of the rejection of claims 1-11, 4-48, and 51-55 under 35 USC 103(a), as being unpatentable over Ginter et al. in view of Garfinkle et al.

A feature of the present invention is to transfer a digital image with a handling condition in a digital data format stored in a server to a receiver side via an Internet line. The digital image data transferred via the Internet line is developed into a printed picture and modified based on the handling condition. See Figs. 24 and 25 of the present application, for example.

Independent claims 1 and 6 have been amended to emphasize these features of the present invention.

It is respectfully submitted that the combination of Ginter et al. in view of Garfinkle et al. fails to show or suggest transferring a digital image with a handling condition in a digital data format stored in a server to a receiver side via an Internet line so that the digital image data transferred via the Internet line is developed into a

printed picture and modified based on the handling condition.

Ginter et al. is merely a system for secure transaction management and electronic rights protection and, as conceded in the Office Action at paragraph 5, does not show or suggest a photographic image printing machine or a photographic image scanner and Garfinkle et al. is cited as curing this deficiency.

It is respectfully submitted that Garfinkle et al. is silent about distributing via an Internet line a digital picture to be developed into a printed picture based on a handling condition transmitted by a reception host. Garfinkle et al. is merely scanning and distributing a developed photographic print.

Accordingly, it is respectfully submitted that amended independent claim 1 and 6, and the claims depending therefrom, are patentably distinct over Ginter et al. in view of Garfinkle et al.

Claims 24-33 and 44-57 have been canceled, thereby rendering the rejection thereof moot.

The prior art made of record and not relied upon has been reviewed and is not seen to show or suggest the present invention as recited in the amended claims.

Entry of this amendment is earnestly solicited, and it is respectfully submitted that the amendments made to the claims hereby raise no new issues requiring further consideration and/or search, because all of the features of this invention have clearly been considered by the examiner in the prosecution of this application and because the present amendments serve only to further define and emphasize the novel features of this invention.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,
COOPER & DUNHAM LLP

A handwritten signature in black ink, reading "Jay H. Maioli". The signature is written in a cursive, flowing style. A vertical line is drawn to the left of the signature, starting from the middle of the signature and extending upwards.

Jay H. Maioli
Reg. No. 27,213

JHM/PCF:tl